

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CV-132-BO

ROBERT D. PARKER and LYNDA N. PARKER,)
Plaintiffs,)

v.)

CENTURY LINK,)
Defendant.)

ORDER


This matter is before the Court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Robert T. Numbers, II, pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b). [D.E. 3]. The Court ADOPTS the M&R.

On March 23, 2018, plaintiffs filed their complaint. [DE 1]. They neither filed an application to proceed in forma pauperis nor paid the filing fee. On April 3, 2018, Magistrate Judge Robert T. Numbers, II issued an order directing plaintiffs to either apply to proceed in forma pauperis or to pay the required \$400 filing fee. [DE 2]. When plaintiffs did not do so, Magistrate Judge Numbers then recommended that plaintiff’s case be dismissed. [DE 3]. Plaintiffs did not file any objections.

“The Federal Magistrates Act requires a district court to make a *de novo* determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); *see* 28 U.S.C. 636(b). Absent timely objection, “a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond*, 416 F.3d at 315 (quotation omitted).

Having considered the M&R and record, the Court is satisfied that there is no clear error on the face of the record and accepts the Magistrate Judge's recommendation. The Court ADOPTS the Magistrate Judge's M&R. [DE 3]. Plaintiff's case is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

SO ORDERED, this 3 day of August, 2018.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE